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Report on the activities of the Office of Internal Oversight Services

Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations

Comprehensive report on the implementation of the pilot project designated by the General Assembly in resolution 63/287

Report of the Office of Internal Oversight Services*

Summary

In its resolution 63/287 on the support account for peacekeeping operations for 2009/10, the General Assembly recognized the value of resident investigators, decided not to introduce the structure proposed by the Secretary-General for investigations in field operations based on a hub approach, and designated as a pilot project centres of investigation in Nairobi, Vienna and New York from 1 July 2009 to 30 June 2012. By the same resolution, the Assembly also requested the Secretary-General to submit to the Assembly, in the context of its consideration of the support account budget for 2012/13, after full consultation with all relevant stakeholders, integrating in particular the comments and observations of field missions, a comprehensive report on the pilot project, with a view to deciding on a restructuring of the Investigations Division of the Office of Internal Oversight Services (OIOS), including:

(a) A complete qualitative analysis of the implementation of the three-year pilot project, including the lessons learned;

(b) A clear and transparent presentation of the existing structure and the pilot project structure and their respective coverage of field missions;

* The compilation and analysis of data and complete consultation required to provide the most comprehensive information delayed the submission of the present report.

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(c) A comprehensive cost-benefit analysis, including of the effectiveness and efficiency of the structure of the pilot project based on accurate assumptions, including an analysis of the long-term trend of investigations in field missions;

(d) Fully justified rationale for all deployments of investigations staff and resources and the ability of OIOS to respond to changing caseload requirements;

(e) Complete and updated information on the current staffing, vacancy rate and caseload;

(f) Full consultations with all relevant stakeholders, integrating in particular the comments and observations of field missions.

The present report responds to that request. Experience gained during the period of the pilot project to date leads to the following main conclusions:

(a) The most effective approach is a combination of regional hub-based and resident investigators. This combination was the basic model applied during the pilot period, in accordance with paragraph 38 of resolution 63/287;

(b) Resident presence can add significant value, although the placement of a lone investigator restricts programme delivery;

(c) In missions with resident investigative capacity, a minimum of three investigators is required;

(d) Regional hubs or centres are important as a source of capacity to support missions without resident capacity and to assist missions where resident capacity needs to be supplemented for operational reasons. During the period of the pilot project, vacancies in resident positions led to many investigations being carried out by investigators based in the regional centres;

(e) The need will continue for the Investigations Division to draw upon non-OIOS mission resources to support mission-based investigative activities logistically, and to provide an adequate first response to serious cases in those locations where OIOS is not present or does not have immediately available the capacity to respond;

(f) Difficulty in recruiting and retaining resident investigative staff, which was a factor in the 2009/10 proposal to replace resident presence with the hub approach, was a constraint that affected the implementation of the pilot structure. Personnel management arrangements that provide for rotating investigators between the missions and regional centres are an important component of the OIOS strategy for stabilizing vacancy rates;

(g) There is a continued demand to address the risks of fraud and associated white-collar crime in high-risk operations, including peacekeeping;

(h) Changes in the model for support to field operations resulting from the global field support strategy present viable opportunities for greater efficiency in the use of OIOS resources.

Since investigations are an important support to disciplinary processes and administration of justice, a robust investigation capacity is fundamental to organizational accountability. Investigations must be conducted in accordance with the highest investigatory standards, and professional investigative capacities must exist in sufficient numbers, including prerequisite qualifications and experience in the appropriate disciplines such as those related to military matters, law enforcement, legal norms and administrative standards.

The above findings and conclusions will be reflected in the proposed support account budget for 2013/14. OIOS will also assess the merit of placing investigative capacity in the Regional Service Centre in Entebbe, Uganda, in view of its role in carrying out a wide range of support functions with increased associated risk and to take advantage of efficiencies such as scheduled transportation to missions.

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I. Introduction

1. In its resolution 63/287, the General Assembly decided not to introduce the structure of the Investigations Division as proposed by the Office of Internal Oversight Services (OIOS) involving the establishment of hubs. Instead, the Assembly established a pilot project, from 1 July 2009 to 30 June 2012, through the approved support account budget defining a structure and related budget allocations that combined centres of investigation (the centres) in Nairobi, Vienna and New York with the resident investigators in seven peacekeeping missions (see A/63/767, para. 688).

2. In paragraph 40 of the resolution, the General Assembly requested the Secretary-General to submit, in the context of the 2012/13 support account budget, after full consultations with all relevant stakeholders, integrating in particular the comments and observations of field missions, a comprehensive report on the pilot project to enable the Assembly to decide on a restructuring of the Investigations Division of OIOS. A preliminary report on the implementation of the pilot project was submitted on 1 March 2011 (A/65/765). Considering the deadlines associated with the 2012/13 support account budget, fulfilment of the request necessitated the presentation of a final report prior to the completion of the pilot project which was envisioned to run until 30 June 2012. Notwithstanding this consideration, OIOS is confident that the submission provides an accurate assessment of the project as envisioned by the Assembly in resolution 63/287.

II. Methodology and scope

3. The assessment of the pilot project included analysis of the evolution and management of the investigations caseload, including its distribution among centres and resident investigators; quantitative analysis of the time spent by investigators;[1] a review of vacancies and related recruitment exercises; and examination of budget expenditures from 30 July 2009 to 31 December 2011. Formal and informal feedback was also solicited from management and staff of the Investigations Division, especially those with peacekeeping experience. In addition, OIOS provided a copy of the draft report to the Under-Secretaries-General for Peacekeeping Operations, for Field Support, and for Management, respectively, and to the Special Representatives of the Secretary-General in all peacekeeping missions. Their comments and observations have been incorporated into the report and are summarized in section X.

4. OIOS did not consider it feasible to undertake a cost-benefit analysis that would provide useful information. Such an analysis could help to illuminate the relative merits of alternate amounts of capacity vis-à-vis a full hub approach and resident presence, but this choice was not, in fact, available. While the General Assembly did not approve the hub structure, it did approve the majority of the reduction of resident investigative capacity that was proposed as part of that model. In this sense, the current issue is how best to deploy existing capacity, where the issues are primarily qualitative. The Board of Auditors supported measures initiated by OIOS in January 2011 to collect management information on the time, duration

[1] In 2011, the Investigations Division of OIOS initiated a time-sheet analysis system to track all hours attributed to investigation resources.

and cost of investigations that will help to inform future judgements on the amount of capacity required and its deployment.

5. Although OIOS has concluded that resident investigative capacity should be retained at minimum thresholds in some missions, in preparing the present report on the basis of experience gained during the pilot period, it has not considered changes in overall capacity to accomplish this. Rather, the priority in the report is to gain clarity on the basic organizational structure and delivery model, so as to enable effective utilization of existing resources. In considering how to go forward, OIOS applied the following practical criteria and objectives:

(a) To maximize utilization of authorized investigator positions;

(b) To maintain an appropriate and proportional caseload per investigator, subject to exceptional factors, to ensure adequate capacity;[2]

(c) To reduce costs and improve efficiency, including experience that might be gained with the establishment of investigation centres within any of the regional service centres envisioned in the global field support strategy;

(d) To improve timeliness of the Investigations Division in responding to matters requiring urgent attention;

(e) To improve retention of investigators by creating opportunities for rotation between missions and centres, as well as to other investigation-related functions;

(f) To maintain the capacity of the Division to interact with stakeholders and to support the deliberations of Member States and intergovernmental processes.

III. Background

6. With the growth in the number of investigation cases related to peacekeeping, especially after 2000, attention has been paid on a recurring basis to how best to respond to those needs. Deployment of investigators to peacekeeping missions began in 2001, owing to increasing caseloads in the United Nations Interim Administration Mission in Kosovo (UNMIK), the United Nations Transitional Administration in East Timor (UNTAET) and the United Nations Observer Mission in the Democratic Republic of the Congo (MONUC). Taking account of the observation of the Advisory Committee on Administrative and Budgetary Questions that, investigations being responsive, it may not be necessary to have resident investigators in every mission, and that investigations could be covered from Headquarters or on a regional basis (see A/56/887), the General Assembly approved regional investigative capacity for Nairobi and Vienna in its resolution 57/318. That capacity was established as a means of providing more rapid service to missions, while not placing resident capacity in every mission. By the fifty-ninth session of the Assembly, based on its experience of investigators in regional hubs, OIOS concluded that a combination of both regional capacity and resident presence was required (see A/59/546).

[2] As at 31 December 2011, the caseload was 148 cases for 30 investigators, or 4.9 cases per investigator.

7. The proposed support account budgets for 2008/09 (A/62/783 and Corr.1) and 2009/10 (A/63/767 and Corr.1) envisioned a restructuring of the delivery of investigation services in field missions. That restructuring was part of a range of measures that were described in the report of the Secretary-General on strengthening investigations (A/62/582 and Corr.1), which was submitted in response to the relevant provisions of resolutions 61/275 and 61/279. The central concept in the restructuring was to relocate investigators from field missions to regional centres or hubs in Nairobi, Vienna and New York. Investigations would be conducted by mobilizing investigators from those locations.

8. The proposals responded to problems encountered with aspects of the resident investigator approach that relied on small teams disbursed among a number of missions. Those difficulties included (a) attracting and retaining qualified candidates; (b) obstacles to effective management and administration stemming from the presence of small teams in many missions; (c) an inability to retain relevant experience in addressing financial irregularities; and (d) official leave provisions in missions resulting in extended absences of investigators.[3] Placement of capacity in regional hubs was expected to create critical masses of capacity and economies of scale for management and administration.

9. The proposal for 2008/09 envisaged a small reduction in the support account-funded capacity for investigations (75 to 73 positions), and focused on the redistribution from missions to regional centres. On the advice of the Advisory Committee, the General Assembly did not adopt that proposal, pending receipt of a requested full analysis and justification of the proposed restructuring. That justification was presented in the support account proposal for 2009/10. While the basic concept remained unchanged, the 2009/10 proposal differed in two significant respects, namely, reducing net capacity from 75 to 54 positions, and maintaining 11 resident investigators in three missions as a transitional measure. The proposal outlined a structure of 44 posts, complemented by 10 general temporary assistance positions (for a total of 54), a reduction from the then 12 posts and 63 general temporary assistance positions (for a total of 75). The OIOS submission was supported by the Advisory Committee (A/63/841) and the Independent Audit Advisory Committee (A/63/703).

10. In its resolution 63/287, the General Assembly, recognizing the value of resident investigators, decided not to introduce the structure proposed by the Secretary-General for investigations in field operations based on the hub approach, and designated as a pilot project, from 1 July 2009 to 30 June 2012, centres of investigation in Nairobi, Vienna and New York, combined with resident investigation staff in specific peacekeeping missions (the African Union-United Nations Hybrid Operation in Darfur (UNAMID), the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), the United Nations Mission in the Sudan (UNMIS), the United Nations Mission in South Sudan (UNMISS), the United Nations Mission in Liberia (UNMIL), the United Nations Operation in Côte d'Ivoire (UNOCI), the United Nations Stabilization Mission in Haiti (MINUSTAH) and the United Nations Interim Force in Lebanon (UNIFIL)). The reduction of authorized posts and general temporary assistance approved in the resolution resulted in savings of about $1 million annually.

[3] Annual leave and rest and recuperation leave result in absences of 12 weeks per year per investigator.

11. Additional general temporary assistance positions (1 P-4, 1 P-3 and 1 General Service (Other level)) in Nairobi were approved by the General Assembly in resolution 65/290 on the support account for 2011/12.

12. The 57 support account positions allocated to the project comprise 43 Professional level positions and 14 support service positions. The total budget for the pilot project was $20.84 million from 1 July 2009 to 30 June 2012, comprising $8.52 million for 2009/10, $8.85 million for 2010/11 and $9.47 million for 2011/12.

13. In paragraph 40 of resolution 63/287, the Secretary-General was requested to submit to the General Assembly for consideration, within the context of its consideration of the 2012/13 support account budget, after full consultation with all relevant stakeholders, integrating in particular the comments and observations of field missions, a comprehensive report on the pilot project, with a view to deciding on a restructuring of the Investigations Division of the Office of Internal Oversight Services.

IV. Deployment of resources

14. Tables 1 to 3 provide a comparison of the details of posts and general temporary assistance positions from 2008 to 2012.

Table 1
Office of Internal Oversight Services: support account authorized for 2008/09

Office	*Management*	*Investigator*	*Total Professional*	*General Service*	*Total*
New York	—	1 P-3	1	1	2
Nairobi	—	3 P-4, 5 P-3	8	2	10
Vienna	1 D-1, 1 P-5	2 P-4, 7 P-3	11	4	15
UNMIT	—	1 P-4, 1 P-3	2*	2*	4
UNIFIL	—	1 P-4, 3 P-3	4*	2*	6
UNOCI	—	1 P-4, 3 P-3	4	1*	5
UNMIS	—	1 P-4, 4 P-3	5	1*	6
MINUSTAH	—	1 P-4, 3 P-3	4	3	7
MONUC	—	2 P-4, 6 P-3	8	5	13
UNMIL	—	1 P-4, 4 P-3	5	2	7
Total			**52**	**23**	**75**

* Posts.

Abbreviation: UNMIT, United Nations Integrated Mission in Timor-Leste.

Table 2
Posts and general temporary assistance positions included in the restructuring proposal for 2009 (A/63/767) (not implemented)

Office	*Management*	*Investigator*	*Professional support*	*Total*	*General Service*	*Total*
New York	1 P-5	4 P-4, 3 P-3	1 P-4, 2 P-3	11*	4*	15
Nairobi	1 D-1, 1 P-5	4 P-4, 9 P-3	1 P-4	16*	4*	20
Vienna	—	1 P-4, 3 P-3	1 P-4	5*	3*	8
UNMIS	—	1 P-4, 2 P-3	—	3	1	4
MONUC	—	1 P-4, 1 P-3	—	2	1	3
UNMIL	—	1 P-4, 2 P-3	—	3	1	4
Total				**40**	**14**	**54**

* Posts.

Table 3
Pilot project designated by the General Assembly in resolution 63/287: posts and general temporary assistance positions as at 31 December 2011

Office	*Management*	*Investigator*	*Professional support*	*Total*	*General Service*	*Field Service*	*Total*
New York	1 P-5	2 P-4, 1 P-3	1 P-4, 2 P-3	7	3	—	10
Nairobi	1 D-1, 1 P-5	3 P-4, 6 P-3	2 P-4, 1 P-3	14	5	—	19
Vienna	1 D-1, 1 P-5	1 P-4, 5 P-3	1 P-4, 1 P-3	10	3	—	13
UNMISS	—	1 P-4, 2 P-3	—	3	—	1*	4
MONUC	—	1 P-4, 1 P-3	—	2	—	1	3
UNOCI	—	1 P-4	—	1	—	—	1
UNMIL	—	1 P-4, 2 P-3	—	3	—	1	4
MINUSTAH	—	1 P-4	—	1	—	—	1
UNAMID**	—	1 P-4*	—	1	—	—	1
UNIFIL	—	1 P-4*	—	1	—	—	1
Total				**43**	**11**	**3**	**57**

* Posts.

** The General Assembly allocated funds for one resident investigator in UNMIT; however, given the Mission's status and relatively small size, OIOS redeployed the post to UNAMID.

15. The OIOS Investigations Division based at Headquarters in New York provides certain central services for all locations, including policy development, monitoring, planning and support for governance, in addition to quality assurance and legal advice from the Professional Practices Section and technical support from the Information Technology Forensic Unit. Although regular budget resources provide funding for most of these services, a total of eight Professional support positions are funded under the support account.

16. To maximize the efficient utilization of resources and timeliness of services provided, the Investigations Division has decentralized certain services previously

provided solely by New York to the Vienna and Nairobi centres, which now provide professional support on behalf of both the Professional Practices Section and the Information Technology Forensic Unit.

17. The Vienna and Nairobi centres have responsibility for investigation activities related to both the regular budget and the support account. Under the pilot project, resources in the centres funded from the support account are intended to handle peacekeeping-related investigations within their geographic location and proximity.[4] Nevertheless, owing to vacancies and caseload demands, investigations have necessarily been assigned to investigators from other than the intended corresponding centre. Case management takes into consideration the special skills, availability of resources and priority of each case, such that capacity may be reassigned to meet demands in centres or missions with capacity shortfalls.

18. Given the limited allocation of positions to the missions, all resident investigators rely on support from the centres for investigations, management, operational support and administration. Resident investigators also depend heavily on mission support for work space and other operational requirements.

V. Case management

19. All reports of matters received by OIOS (referred to as "intake") are entered into the integrated case management system. Reports are considered by the Investigation Division's Intake Committee to assess whether or not they should be retained for information purposes, followed up with additional inquiry, referred elsewhere for action, or assigned ("predicated") for investigation. Once predicated, matters are then classified according to seriousness: category I (high-risk, complex matters and serious criminal cases) or category II (lower risk to the Organization) (see table 4). All category I cases require initial reporting to OIOS; nevertheless, the Intake Committee may decide, based on the most efficient use of OIOS resources, to refer less serious matters elsewhere for investigation. While category II matters are not necessarily even reported to OIOS, those that are reported are recorded in the integrated case management system and referred to the appropriate authority for review.

Table 4
Management of cases, by category

Category I *High-risk, complex matters and serious criminal cases*	*Category II* *Lower risk*
Sexual exploitation and sexual abuse	Personnel matters
Serious or complex fraud	Traffic-related incidents
Other serious criminal act or activity	Simple thefts

[4] New York covers MINUSTAH. Vienna covers UNIFIL, UNMIK, the United Nations Truce Supervision Organization, the United Nations Disengagement Observer Force, the United Nations Peacekeeping Force in Cyprus, UNMIT and the United Nations Assistance Mission for Iraq. Nairobi covers MONUSCO, UNMIS, UNAMID, UNMIL, UNOCI, the United Nations Mission for the Referendum in Western Sahara and the United Nations Mission in the Central African Republic and Chad.

Category I *High-risk, complex matters and serious criminal cases*	*Category II* *Lower risk*
Abuse of authority or staff	Contract disputes
Conflict of interest	Office management disputes
Gross mismanagement	Basic misuse of equipment or staff
Waste of substantial resources	Basic mismanagement issues
All cases involving risk of loss of life to staff or to others, including witnesses	
Substantial violation of United Nations regulations, rules or administrative issuances	
Complex proactive investigations aimed at studying and reducing risk to life and/or United Nations property	

20. While all matters received by OIOS are entered into the integrated case management system, the designations assigned by the Intake Committee will vary:

Information only:	Reports that do not provide sufficient detail for any actionable inquiry or a report that presents a situational analysis
Advisory:	Reports that generate recommendations from OIOS in relation to programme management
Investigation:	Reports that require further fact-finding by OIOS or other entities in relation to possible wrongdoing
Suspense:	Matters that are held in suspense pending receipt of additional information
Referral:	Matters that are referred to other offices either because of their lower level of seriousness or because they fall outside the jurisdiction of OIOS

Investigations undertaken in missions by non-OIOS personnel

21. Conduct and discipline teams, reporting to mission management and also under the overall guidance of the Department of Field Support in New York, operate in close partnership with OIOS. They receive, assess and refer cases for investigation but do not conduct investigations.

22. Offices other than OIOS, however, are authorized to undertake certain types of investigations in peacekeeping missions. These may include investigations into prohibited conduct in the workplace (as prescribed by Secretary-General's bulletin ST/SGB/2008/5), for which management can convene boards of inquiry or ad hoc investigation panels; category I matters referred to the mission by OIOS; and all category II matters. The offices authorized to conduct investigations include heads of mission, security units and the mission's police or military investigation units. Investigations may also be conducted by national investigation officers from troop-

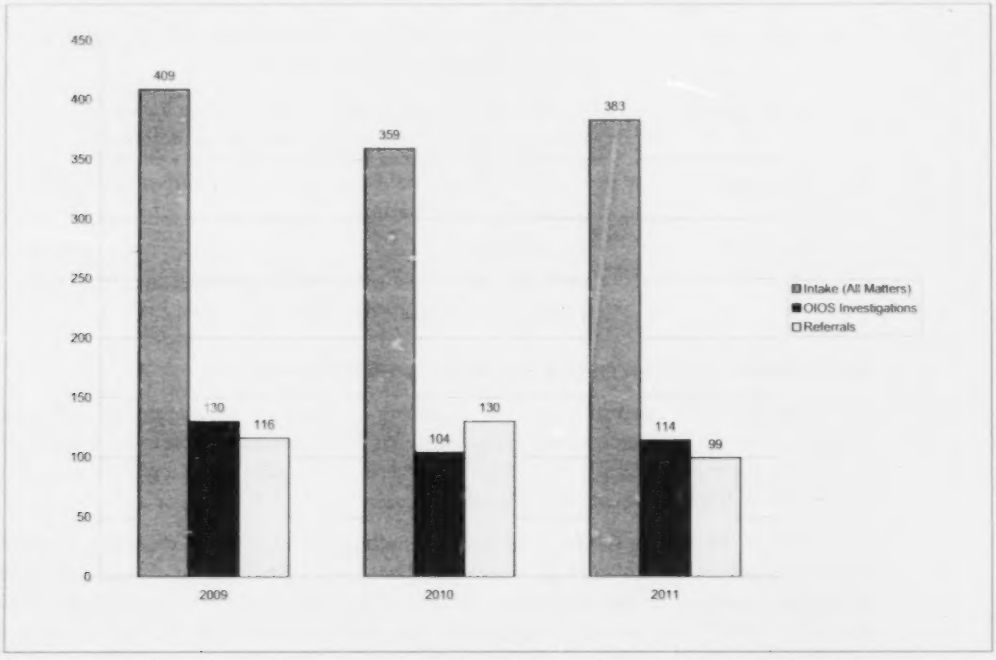
contributing countries following the revised model memorandum of understanding approved by the General Assembly in 2007, under which troop-contributing countries have primary responsibility for investigating reports of wrongdoing by their own members. OIOS may also cooperate in conducting joint investigations with other offices.

23. In any investigation, preservation of evidence is of the utmost importance. Even in peacekeeping missions where OIOS is present, OIOS investigators may not immediately be available to attend to remote locations for this purpose. In such cases, immediate assistance may be sought from the Department of Safety and Security (including Special Investigation Units), United Nations civilian police units and United Nations military police personnel to preserve evidence until such time that OIOS can attend to a formal investigation. This support is deemed to be a critical element of cooperation in the successful fulfilment of the OIOS investigation mandate.

VI. Caseload analysis[5]

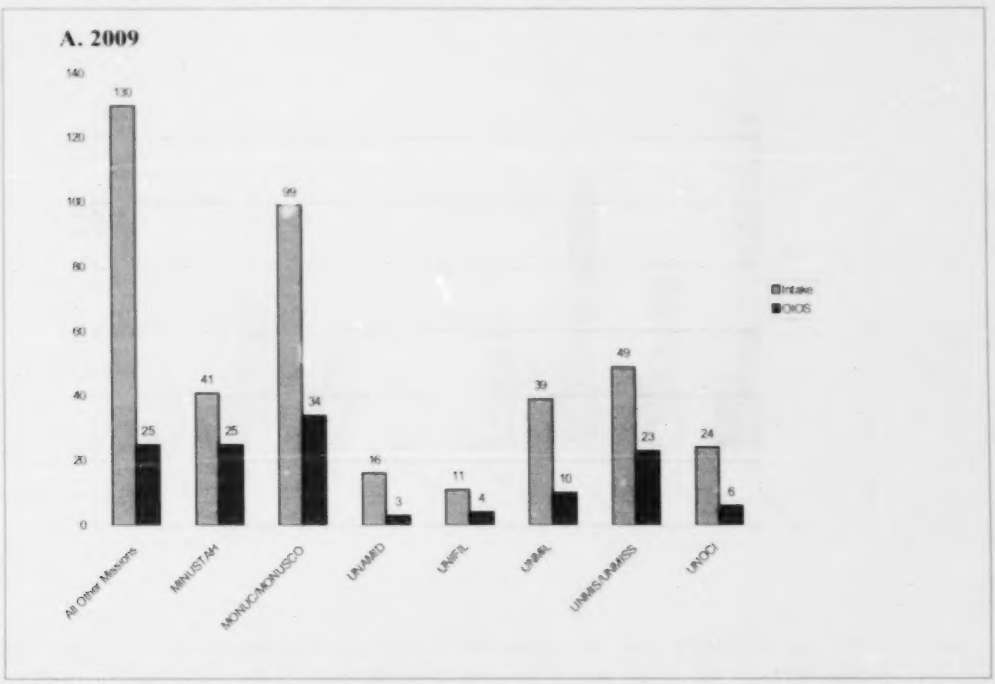
24. Figure I indicates a total of 1,151 matters that were received by OIOS and provides a further determination of the number predicated for investigation (348) in relation to those referred back to the missions (345). Figure II breaks down the numbers received and those investigated by OIOS, by mission.

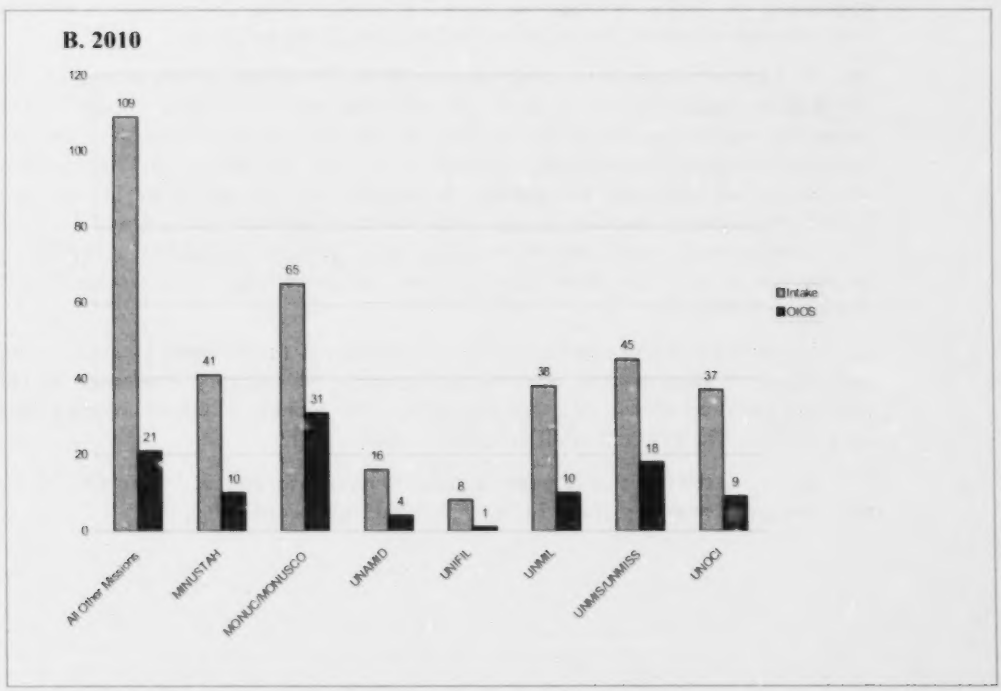
Figure I
Case intake (all matters), by year: OIOS investigations and referrals

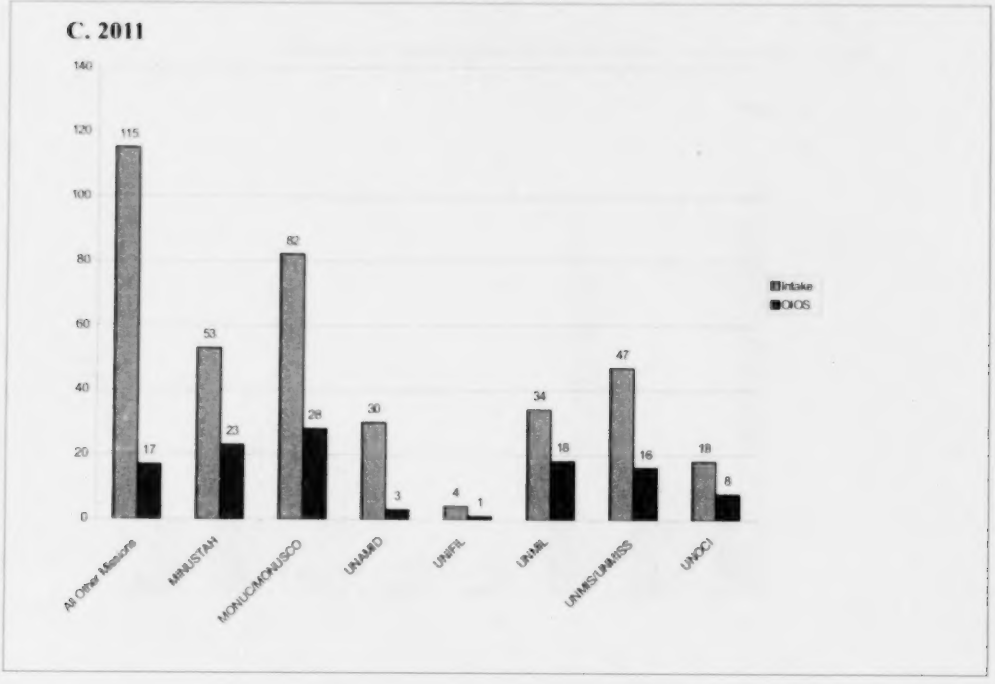


[5] For the purposes of caseload analysis, OIOS utilized the dates 1 January to 31 December for each year of the pilot project.

Figure II
Intake (all matters) and OIOS investigations, by mission







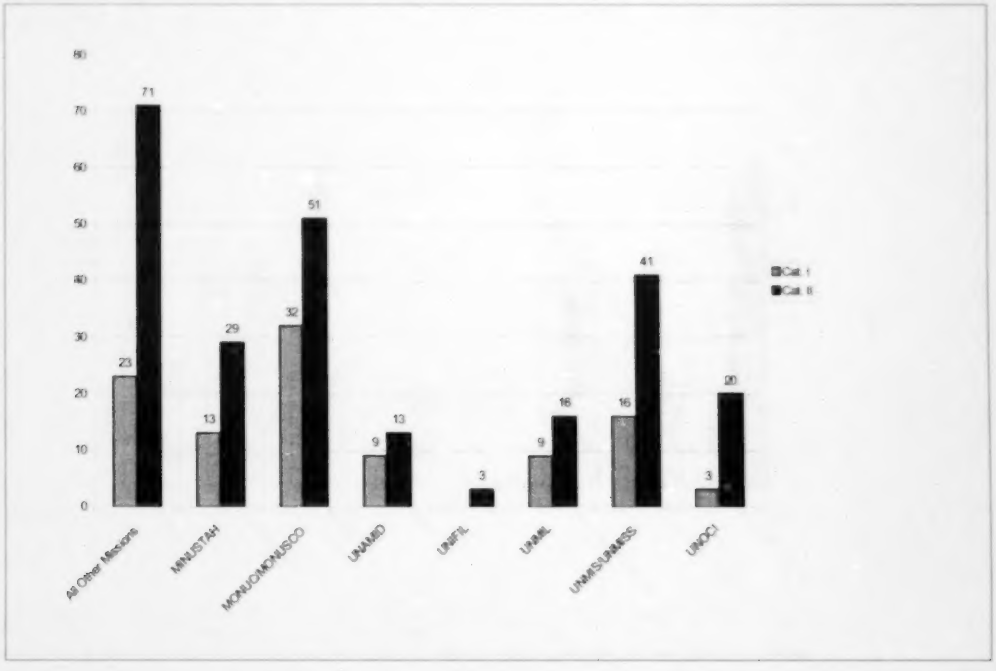
25. From 2009 to 2011, the number of matters received decreased by 6.47 per cent, from 409 to 383. There was a 12.4 per cent decrease in the total number of cases predicated for OIOS investigation, from 130 to 114, while the number of matters referred to the missions decreased by 14.7 per cent, from 116 to 99.

26. In addition, a case-by-case assessment of the 348 investigations undertaken by OIOS determined that 90 of these (26 per cent) were generated through OIOS personnel conducting investigations on site. Having OIOS investigators on site enhances communication with mission staff and facilitates an independent mechanism for reporting wrongdoing. In addition and perhaps more importantly, OIOS investigators working in the field missions provide victims and staff of non-governmental organizations working with victims access to a reporting mechanism, as most of them otherwise have no knowledge of or access to the mechanisms available.

27. Figure III provides a breakdown of all referrals to the missions by category. In this regard, it demonstrates that the total number of category I referrals to the missions (105) equates to 42.3 per cent of the total number of OIOS investigations done (348), or 9.1 per cent of all matters received (1,151).

28. Owing to the fact that it is not required to report category II referrals to OIOS, any subsequent analyses of the 244 such referrals are inconclusive.

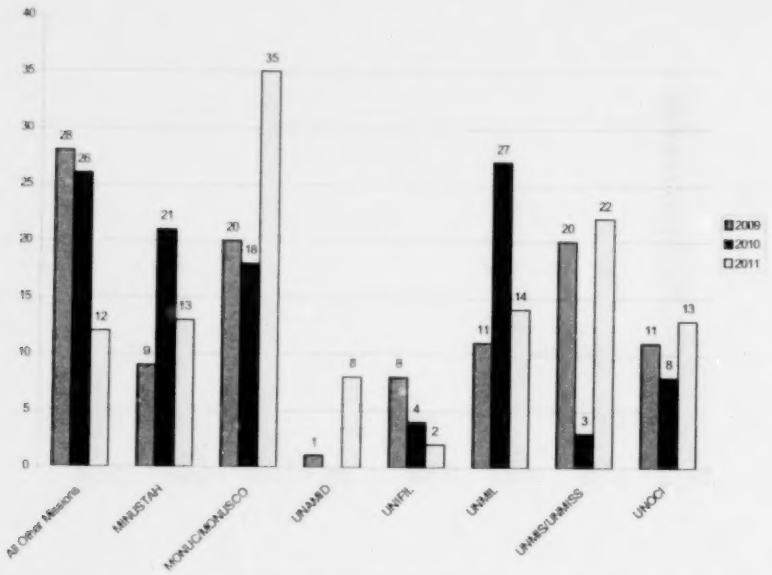
Figure III
Referrals to peacekeeping missions, by mission and category



29. Concerns were raised by some of the mission stakeholders as to the type and number of sexual exploitation and abuse allegations that have been referred back to the peacekeeping missions for investigation. In general terms, all such complex investigations are retained by OIOS for investigation, and in particular, any matter involving children or criminal acts, such as rape or violence. In order to maximize the use of its resources, OIOS routinely refers adult transactional sex allegations back to the missions for investigation. These include allegations of staff members having sexual relationships with prostitutes and consensual relationships that have gone awry.

30. Figure IV provides a breakdown of the 334 investigation reports issued by OIOS, by mission and year. The 119 reports issued in 2011 represents an increase of 10.2 per cent from the number of reports issued in 2009.

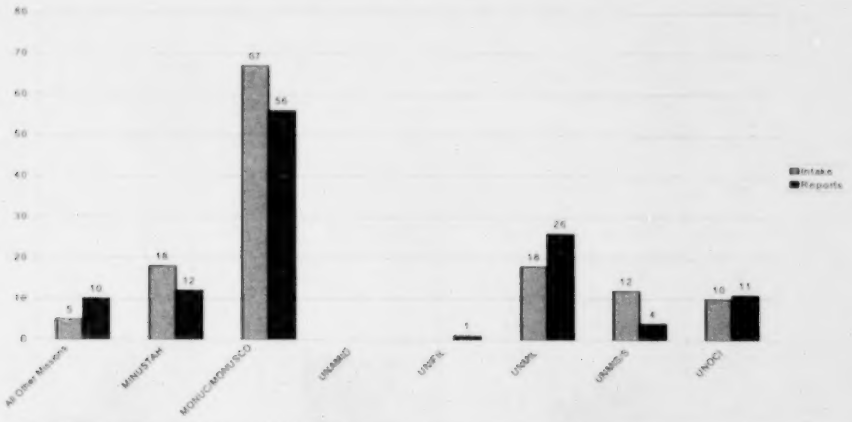
Figure IV
OIOS reports issued, by mission and year



	2009	*2010*	*2011*
UNOCI	11	8	13
MINUSTAH	9	21	13
MONUC/MONUSCO	20	18	35
UNMIL	11	27	14
UNMIS/UNMISS	20	3	22
UNIFIL	8	4	2
UNAMID	1	0	8
All other missions	28	26	12
Total	**108**	**107**	**119**

31. Figure V indicates that the number of sexual exploitation and abuse allegations received decreased by 23 per cent, from 48 to 37, while the number of associated reports issued by OIOS increased by 10 per cent, from 37 to 44.

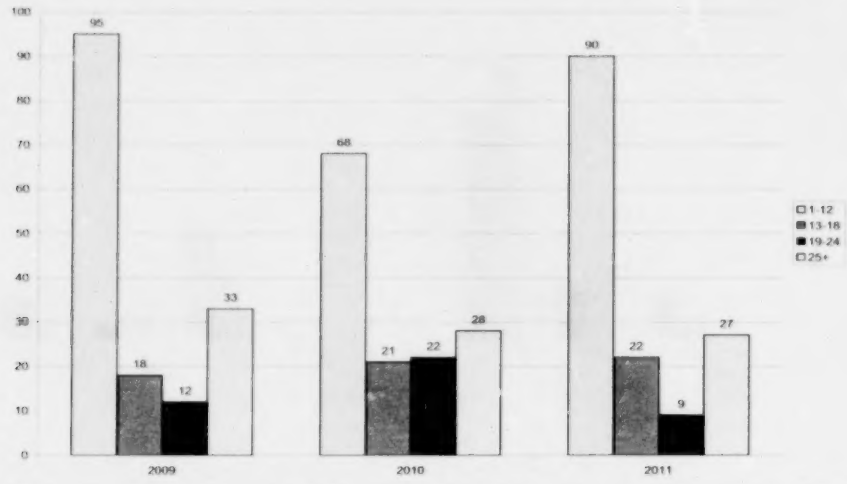
Figure V
Sexual exploitation and abuse: intake and OIOS reports, by mission



	2009		2010		2011	
	Intake	*Report*	*Intake*	*Reports*	*Intake*	*Reports*
UNOCI	3	6	3	2	4	3
MINUSTAH	7	4	5	5	6	3
MONUC/MONUSCO	25	16	27	13	15	27
UNMIL	7	6	4	15	7	5
UNMIS/UNMISS	2	—	5	1	5	3
UNIFIL	—	1	—	—	—	—
UNAMID	—	—	—	—	—	—
All other missions	4	4	1	5	—	1
Total	**48**	**37**	**45**	**41**	**37**	**42**

32. Figure VI demonstrates a net reduction in the OIOS case backlog from 158 open cases in 2009 to 148 in 2011 (6.3 per cent). Decreases were reflected in cases pending over 24 months from 33 to 27 (18.6 per cent), 18 to 24 months from 12 to 9 (33 per cent) and 1 to 12 months from 95 to 90 (5.2 per cent). An increase was reflected in cases pending from 12 to 18 months from 18 to 22 (17.8 per cent).

Figure VI
Backlog of cases by year and number of months pending at year end



	1-12 months			*13-18 months*			*19-24 months*			*25+ months*		
	2009	*2010*	*2011*	*2009*	*2010*	*2011*	*2009*	*2010*	*2011*	*2009*	*2010*	*2011*
UNOCI	3	7	8	3	—	2	1	1	—	2	1	—
MINUSTAH	17	1	11	1	1	—	2	1	1	5	2	3
MONUC/MONUSCO	35	28	21	9	8	8	7	13	7	6	14	18
UNMIL	11	5	15	5	3	1	—	1	—	11	5	3
UNMIS/UNMISS	6	13	17	—	2	5	1	3	—	6	5	2
UNIFIL	3	1	—	—	—	1	—	—	—	1	—	—
UNAMID	4	4	4	—	3	1	—	1	—	—	—	—
All other missions	16	9	14	—	4	4	1	2	1	2	1	1
Total	**95**	**68**	**90**	**18**	**21**	**22**	**12**	**22**	**9**	**33**	**28**	**27**

33. In summary, the caseload analysis indicates that OIOS was able to increase outputs and reduce its backlog of cases. It also reflects a downward trend in the number of matters reported, the numbers referred to the missions and the number of reported cases of sexual exploitation and abuse.

VII. Overall effectiveness and efficiency

Impact on the Organization

34. Given the nature of investigations, outcomes often have greater non-quantitative impacts on the reputation of the Organization than economic losses. Statistics provided by the Administrative Law Section, however, indicate that OIOS investigations are having a significant impact on the Organization in addition to

producing a professional product. Although the information refers to the investigation of matters assigned against both the regular budget and the support account, of the 295 investigation reports issued by OIOS in which appropriate action was recommended, 221 (75 per cent) resulted in disciplinary charges. To date, of that number, only 35 (15 per cent) have resulted in appeals. Of those, 8 were upheld by the United Nations Dispute Tribunal, 21 are pending and 2 were either settled or withdrawn. The remaining four matters that were rescinded by the Tribunal occurred prior to the pilot project (three related to investigations conducted by the Procurement Task Force and one to the failure to report gifts).

Table 5
Disposition of cases following disciplinary proceedings

Year	*Number of OIOS cases received*	*Of cases received, number charged*[a]	*Of cases received, number that resulted in appeal*[b]
2007	32	26	6
2008	72	60	15
2009	104	86	8
2010	46	29	4
2011	37	20 (5 pending)	2
2012 (to date)	4	0 (2 pending)	0

[a] A decision not to pursue a case as a disciplinary matter may be based on a number of factors, for example, whether the staff member separated during or subsequent to the investigation, insufficient evidence of possible misconduct, etc.

[b] For some cases, the time for appeal has not yet expired, so the numbers in this column may increase slightly.

Advantages of mission-based investigators

35. OIOS and mission management consider that resident investigators provide clear advantages. Their presence facilitates more timely responses to reported matters, observation of the mission environment and the collection of case-specific information and builds trust in the investigative process. Mission management can also access professional investigative advice and consult with investigators on sensitive matters linked to issues of individual accountability. Feedback from mission management has been consistently supportive, urging building of resident investigative capacity.

36. While the presence of resident investigators is associated with a higher incidence of reported violations, uncertainty remains regarding the cause-and-effect relationship of these two factors, or the extent to which other factors also affect volumes of reported matters. Nevertheless, 26 per cent of all reports received in respect of peacekeeping operations during the course of the pilot project were generated through OIOS personnel during the conduct of investigations on site.

Mission responsibilities assigned to the centres

37. The pilot project envisaged that support account resources in each centre would provide support to peacekeeping-related investigations in specific missions grouped by geographic proximity (see A/65/765). In practice, however, this division of responsibility could not be maintained, owing to caseload demands, vacancies

and/or limited capacity in the peacekeeping missions. Consequently, mission-related investigations were frequently assigned to investigators mobilized from the centres.

Correlation of leave provisions in missions to investigator availability (A/63/767)

38. Due to the requirement that six weeks per year of additional leave must be provided to investigators based in missions, and following the introduction in January 2011 of time sheets, it was determined that investigators in missions had less available time to devote to investigations (57 per cent) compared with their counterparts in centres (64 per cent). In this regard the time sheet analysis was able to quantify an issue originally identified in the budget for the support account for 2009/10 (see A/63/767 and Corr.1).

OIOS continued to investigate cases related to troop-contributing countries

39. OIOS had anticipated that the revised model memorandum of understanding with troop-contributing countries, as approved by the General Assembly in 2007, would substantially free up its investigative resources for deployment to other category I cases. However, this materialized only to a limited extent. From 1 July 2009 to 31 December 2011, OIOS predicated a total of 116 cases related to troop-contributing countries. Of this number, 54 cases required OIOS to commit investigative resources (2,444 hours in 2011) either for the purposes of joint investigation with a national investigation officer or for sole investigation by OIOS due to the absence of a response from the troop-contributing country following official notification of the alleged wrongdoing. Only 30 of the 116 matters related to troop-contributing countries were investigated exclusively by national Governments; 24 were referred to the missions and others remain pending.

Cases referred for investigation to missions continued to consume resources

40. In order to optimize use of its investigative resources OIOS refers selected category I cases to mission management for investigation on a case-by-case basis after duly assessing the associated risk. However, with this practice OIOS also had to perform ongoing liaison work and eventual review of the results to ensure the sufficiency of evidence collected (1,856 hours in 2011). Consequently, the expected reallocation of investigative resources to other category I cases was only partially realized.

Challenges in recruitment and retention

41. OIOS faced serious challenges in recruitment with an average monthly vacancy rate of 44 per cent in the 15 positions allocated to the seven missions. Despite best efforts, OIOS was unsuccessful in staffing two single positions allocated to two missions (UNOCI and MINUSTAH) during the entire pilot project, in addition to one post that remained vacant in UNIFIL until August 2011. The centres fared better in this respect with an average monthly vacancy rate of 30 per cent. Overall the recruitment exercises demonstrated that it was easier to attract more qualified and experienced investigators to family duty station locations. In addition, the retention period for Professional staff (investigators) in the centres averaged 19 months as compared with 13 months in the missions (table 5). Of the total support account budget of $17.37 million for the first two years of the pilot project, only $11.92 million (68.6 per cent) was utilized, primarily due to vacancies.

Table 6
Professional staff retention rates, 1 July 2009 to 31 December 2011

Duty station	*Number of positions*	*Staff retention (average in months)*[a]
Nairobi	14	15
Vienna	10	30
New York	7	12
All centres	31	19
UNOCI	1	N/A[b]
MINUSTAH	1	N/A[b]
MONUSCO	2	19
UNMIL	3	14
UNMIS/UNMISS	3	21
UNIFIL	1	5
UNAMID	1	8
All missions	12	13

[a] Once encumbered; the average number of months (to date) that a staff member retained his/her position.
[b] Positions in UNOCI and MINUSTAH were not filled.

Actual travel costs incurred versus hypothetical costs

42. OIOS compared the actual cost of airline tickets incurred by the Investigations Division in 2011 with the estimated cost of tickets that would have been incurred under various restructuring options. One significant saving identified ($330,396 in 2011) was associated with the establishment of an Investigations Division office in the Regional Service Centre at Entebbe, combined with an increase of positions in the high-risk missions from one investigator to three or four based on caseload. Under this concept, the OIOS investigators based in Entebbe, in addition to those in the missions, would be able to utilize United Nations flights for travel in support of the adjacent peacekeeping missions. This could lead to efficiency and effectiveness in programme delivery, as evidenced by the fact that the adjacent missions of MONUSCO, UNMISS and UNAMID account for approximately 50 per cent of the active OIOS caseload. The establishment of an office in Entebbe would, however, require a relocation of a significant number of general temporary assistance investigator positions from Nairobi to Entebbe.

General Assembly resolutions 57/282 and 59/287: training and development

43. Valid concerns were raised by various missions that OIOS had not fully complied with a request from the General Assembly for OIOS to provide basic investigative training for the handling of reports of wrongdoing.

44. To date OIOS has developed eight training modules to address, in part, the chronic deficit of professional investigative expertise in the Organization. These include modules on the issues of programme manager awareness; investigation practice; investigating procurement matters; investigating sexual harassment;

investigating sexual exploitation and abuse, advance interviewing techniques, incident response and information technology (see A/62/7/Add. 35, A/56/282 and A/58/708).

45. While feedback on the courses delivered prior to the pilot project was positive, OIOS acknowledges that a strong demand for additional training demonstrates both a lack of capacity and an unmet need. In this regard a joint initiative involving OIOS and the Department of Field Support, the Department of Peacekeeping Operations and the Department of Management is scheduled for May 2012 in Entebbe to provide training on investigations to 25 participants from various peacekeeping missions. The training will include the modules on investigation practice, investigating sexual exploitation and abuse, advance interviewing techniques and incident response.

46. OIOS training in relation to the investigation of prohibited conduct in the workplace as outlined in document ST/SGB/2008/5 has been provided to 223 staff members across the various United Nations offices and peacekeeping missions. Upon the directive of the Under-Secretary-General for Internal Oversight Services, this training has, however, been temporarily suspended, pending assessment of the Joint Inspection Unit's report on the investigative function in the United Nations system. In addition, the Under-Secretary-General for Internal Oversight Ser ices is concerned that the mandate for provision of training, pursuant to whic OIOS "certified" the competency of volunteer staff members outside OIOS to conduct investigations into prohibited conduct, may be in conflict with the responsibility of OIOS to maintain operational independence.

VIII. Qualitative assessment and lessons learned

47. The pilot project was a valuable vehicle for organizational learning, as it simultaneously demonstrated the advantages and the necessity of resident investigators, while also highlighting complex and interconnected challenges.

48. During the pilot period, the investigations funded by the support account were carried out by a combination of resident investigators and regional hubs. The OIOS qualitative assessment of the experience during this period is that this is basically the right approach. As decided by the General Assembly in resolution 63/287, the initial OIOS proposal to fully replace mission capacity with the regional hubs was not implemented, and is no longer proposed by OIOS.

49. During the pilot period, OIOS was able to reduce the outstanding caseload and address new cases, despite a high, but improving, level of vacancies. As a result of those vacancy rates, the majority of the caseload was tackled by personnel based in regional hubs, rather than in the missions. This has demonstrated that volume can be handled from either venue and that the most important factor is being able to deploy qualified investigators.

50. During the period of the pilot project, greater difficulty in filling mission positions than regional hub positions was observed. Recruiting and retaining personnel in missions remains a challenge and was one of the main factors leading to the suggestion to replace mission presence with regional hubs. To proceed on that course, however, would deprive investigations of the real advantages that come with selective resident presences (see para. 35 above).

51. As stated above, the presence of resident investigators is associated with a higher number of reported matters of wrongdoing. Such higher incidence of

reporting should be considered an advantage, as staff members have the duty to report any breach of the Organization's regulations and rules to officials whose responsibility it is to take appropriate action.[6] Since staff members are often reluctant to report such matters to their supervisors or management, accessibility to resident investigators makes it easier for staff to fulfil this responsibility.

52. More generally, the presence of resident investigators also enables the Organization to assess reported matters and respond appropriately. It can initiate action to ensure compliance with its regulations and rules in cases of substantiated reports of infractions to uphold accountability; it can absolve those against whom reported infractions cannot be substantiated through investigation; and it can help identify and address systemic issues that may arise. A better-informed Organization can lead to a better-prepared and more accountable Organization.

53. Based on these positive factors, there is a convincing case for the continued presence of an adequate number of resident investigators during the life cycle of a mission when so warranted by an assessment of associated risks.

The single investigator restricts programme delivery

54. Notwithstanding the positive attributes of resident investigator presence, the pilot project also demonstrated that positioning a single investigator in a peacekeeping mission has serious drawbacks. These include the difficulties outlined earlier of recruitment and retention; it also includes the inability to proceed with professional investigations without drawing upon supplementary resources to ensure at least two investigators are present for all interviews and interactions involved. High turnover also leads to inefficiencies and loss of loss of continuity, as well as other operational challenges associated with frequent handovers of incomplete cases from one investigator to another. The Advisory Committee on Administrative and Budgetary Questions has duly noted the challenges in attracting and retaining qualified and experienced personnel for mission-based investigator positions (see A/62/7/Add.35). Pertinently, even though it was conducted prior to the pilot project, a mid-2007 survey of the staff in the Investigations Division showed that a very high percentage of mission-based investigators were strongly desirous of leaving the mission environment. The staff retention rates generated during the pilot project suggests that this factor is still relevant today.

55. Positioning single investigators in missions also has other risks, as "the job [of a mission-based investigator], by its very nature, tends to isolate investigators from other mission staff" (see A/62/7/Add.35). Since an investigator's profession requires adherence to the highest standards of objectivity, extended deployments of investigators, especially single investigators, in a mission can create subtle but real risks to their independence.

56. Even when a single investigator position is encumbered, there is difficulty in following fundamental investigation procedures, such as those requiring interviews to be conducted in pairs. In addition, security risks can be created for investigators. Finally, all investigative activity ceases when the single investigator avails himself or herself of leave or takes a rest break.

[6] Staff rule 1.1 (c).

57. Consequently, if OIOS is to retain an on-site lead investigative capacity in any mission, the unit should, as a minimum, comprise three investigators to avoid the negative impact of periodic leave absences on the overall programme delivery. This would provide for actual capacity of only 2.25 investigators, after allowing for only annual and rest leave provisions.

Proximate centres are indispensable to support and supplement resident capacity

58. Adequately resourced and geographically proximate centres of investigation provide necessary support to resident investigators. Experience demonstrates that recruiting and retaining investigators based in centres is easier than for resident investigators. Furthermore, investigators in centres are able to devote more time to investigation vis-à-vis non-operational activities, as compared with their mission-based counterparts. The availability of a critical mass of investigative capacity, including specialized skills, professional practices, quality assurance and support, situated close to missions, provides more flexibility to respond to temporary spikes in volume and to matters deemed to be high-risk or particularly time-sensitive.

59. Deployment of investigators from centres to supplement and support resident investigators can also partly ease the austere conditions under which the majority of field investigations take place. Centres are somewhat shielded from factors or events that can disrupt, and even immobilize, mission environments. They offer enhanced opportunities for staff learning and collaboration, reduced impediments to operational independence, and improved positioning of the Investigations Division to develop and implement a staff mobility and rotation plan. Such a plan could, in part, address the historically poor recruitment and retention rates in missions, as staff would be provided opportunities to relocate to centres after serving for a specific period in the more difficult mission environment.

Recruitment and staff retention

60. OIOS acknowledges that recruitment and staff retention will always be a factor having an impact on its programme delivery, especially in the peacekeeping environment. Nonetheless, as demonstrated by the downward trend of its current vacancy rates, OIOS will remain vigilant in the application of its administrative initiatives, including the timeliness of the recruitment processes, the establishment of rosters of recommended candidates and a viable staff rotation mechanism. In addition, following meetings with the Office of Human Resources Management, OIOS has implemented vacancy announcements outlining qualifications and experience requirements that more accurately reflect the most suitable skills needed in the unique peacekeeping environment, as compared with investigator qualifications suited to other investigative domains. As a result, OIOS has already experienced an increase in the number of qualified candidates applying for vacant positions.

IX. Fraud and associated white-collar crime in high-risk operations

61. Under its mandate, OIOS assesses the potential for fraud and other violations within programme areas through the analysis of systems of control in high-risk operations and at offices away from Headquarters, and makes recommendations for corrective action to minimize the risk of commission of such violations. This aspect

of the work of OIOS responds to the increased risk faced by the Organization as it has increasingly become field-based, with staff, offices, projects and information databases in virtually every country. Peacekeeping operations and doctrines, along with their support processes, have also become more complex. In such a globalized environment, both internal and external risks can be diffuse, varied, sophisticated, opportunistic and not easily perceived. Proactive investigative work thus seeks to identify risks as they arise in order to enable the Organization to take appropriate responses before they become critical.

62. The proposals put forward by OIOS in document A/63/767 focused on the need to restructure the Investigations Division so as to provide areas of expertise associated with the investigation of sexual exploitation and abuse and financial, economic and administrative misconduct. While there have been accomplishments in this regard over the course of the pilot project, OIOS acknowledges that still more needs to be done in terms of the investigation of fraud and economic crime.

63. A more proactive role on the part of OIOS has already been initiated to capitalize on the experiences gained by the Procurement Task Force, including the analysis of databases to discern patterns that may indicate enhanced risk for fraud and other violations. In addition, several meetings have been held with the Procurement Division, including the opportunity for the Director of the Investigations Division of OIOS to speak to all heads of procurement when they attended a conference in New York. The Investigations Division also continues to work more closely with the Internal Audit Division of OIOS, including on proposals for joint assignments and intradivisional exchange of staff.

X. Other factors affecting the 2012/13 support account budget

64. In 2011, OIOS positioned itself to capitalize on the experience of new leadership, both at the Under-Secretary-General and Director level.

65. Change management initiatives, including a review of the OIOS organizational structure and the appointment of an expert panel to assess investigation procedures, vendor sanctions, timeliness of reports, the investigation of criminal acts by United Nations personnel, and the proactive use of OIOS Investigations Division resources are ongoing.

66. Valuable contributions were received from all relevant stakeholders and OIOS was very cognizant of this input in formulating its recommendations on the restructuring of the Investigations Division. In that regard, OIOS has retained a summary assessment of all stakeholder responses, including those that have been implemented, in the report. In general terms, the comments and observations of the stakeholders focused on OIOS maintaining a strong investigative presence in the missions and the provision of increased training for non-OIOS investigative personnel.

XI. Conclusion

67. Given the relatively limited number of investigators at issue in the support account, the geographic breadth of the sphere of work, the range of issues that need to be examined, and the diversity of living and operational environments in missions, the organizational arrangements for delivery of investigation services need

to continue to be adaptable to managerial judgements on operational priorities in carrying out investigations. Groups in regional hubs will anchor the investigation work and carry it out where there is no resident capacity. But in a small number of missions, appropriately constituted teams should continue to form part of the business model.

68. The foregoing findings and conclusions will be reflected in the proposed support account budget for 2013/14. OIOS will also assess the merit of placing investigative capacity in the Regional Service Centre in view of its role in carrying out a wide range of support functions with increased associated risk and to take advantage of efficiencies such as scheduled transportation to missions.

XII. Action to be taken by the General Assembly

69. **The actions to be taken by the General Assembly in connection with the implementation of the pilot project are to take note of the present report.**

(*Signed*) Carman L. **Lapointe**
Under-Secretary-General for Internal Oversight Services
27 March 2012